

**BOROUGH OF ROCKY HILL
COUNCIL MINUTES
August 20, 2007**

The regular meeting of the Borough Council of the Borough of Rocky Hill was called to order by Mayor Edward Zimmerman at 7:30 PM followed by the salute to the Flag and a moment of silent meditation in memory of resident Leonard Steinline Sr.

NOTICE OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

The following statement was read into the record by Mayor Zimmerman: This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting was included in a list of meetings advertised in the December 16, 2006, edition of the Somerset Messenger Gazette and transmitted to the Courier News and Somerset Spectator. Notice has been posted accordingly and a copy of this notice is available to the public and is on file in the Office of the Borough Clerk.

ROLL CALL

Mr. Jim Banks-present, Mr. Brian Griner-present, Mr. William Hallman-present, Mr. Dan Harrington-present.

Absent: Ms. Courtney White, Mr. Jared Witt

Also present: CFO Ross Bobal, Borough Attorney Albert Cruz, Borough Engineer William Tanner

MAYOR'S COMMENTS

Mayor Zimmerman reported on a recently attended meeting on Flood and Hazard Planning hosted by Senator Menendez.

APPROVAL OF MINUTES

Regular Minutes - July 16, 2007 - Motion was made by Griner with a second by Banks to approve the minutes contingent upon correction of minor typographical errors. Motion carried on roll call vote - all ayes.

REQUEST OF COUNCIL FOR NEW OR OLD BUSINESS (NOT ON AGENDA)

None

PUBLIC COMMENT

The floor was opened to the public for comments/questions:

Hearing none the floor was closed.

STATE POLICE REPORT

No report at this time; Councilman Hallman reported that NJSP are patrolling the Borough and issuing traffic summonses. Mayor Zimmerman reported that representatives of the NJSP will be holding a public forum for the residents to include child safety seat inspections on 9/10/07 at 7:30 PM in Borough Hall.

ENGINEER'S REPORT

Engineer's Report dated August 17, 2007, for July 2007 was received and distributed (copy on file in Borough Clerk's Office).

- ARC - Engineer Tanner reported that ARC will begin janitorial services at Van Horne Park. In response to the Borough's request for ARC to do clean-up/collect the trash from the Borough properties, Engineer Tanner advised that due to the fact that they do not have a means of removing the trash from the sites, they are unable to do so at this time. Engineer Tanner will inquire as to whether they would be willing to do the clean up and put the trash in the trash receptacles for pick-up by the Borough on Tuesdays.
- Discussion ensued about the maintenance at Panicaro Park. It was agreed that treatment of the poison ivy should be done by Chem-Lawn, the park will be scheduled for weeding by the Department of Corrections workers, and Engineer Tanner will obtain quotes for mulch (not to exceed \$500.00/park).

Leaf Removal Contract - Bids were solicited resulting in receipt of one bid from Mastroianni Landscaping of Hopewell in the amount of \$29,568.00 for four pick-ups. Due to the considerable increase in price since last year, it was agreed that the bidder would be asked if he would be amenable to three pick-ups in lieu of the four pick-ups requested. Action held over until the next meeting.

Resolution 2007-58/Brush and Limb Contract Award - Quotes were solicited resulting in the receipt of two quotes: Mastroianni Landscaping - \$210.00/hr. and JML Landscaping - \$161.00/hr. Engineer Tanner recommended the award of contract to JML Landscaping of Neshanic Station in the amount of \$161.00/hr. not to exceed \$3500.00. Motion was made by Hallman with a second by Harrington for the award of the contract and adoption of the resolution. Motion carried on roll call vote - all ayes. Engineer Tanner will schedule the pick-up after the Borough clean-up day.

Resolution 2007-59/Contract Award - Grove St. Repaving - Bids were solicited resulting in receipt of two bids. Engineer Tanner recommended that based on the prices received, only the resurfacing of Grove St. (base bid) should be awarded. The alternate projects that were put out with the bid were for total reconstruction of the street and construction of a handicapped ramp at the intersection of Hickory Court and Princeton Ave across from the park entrance. Award of the alternates would have resulted in the Borough exceeding the allocated grant monies (\$47,000). Base bids were received from Countryside Paving of Bernardsville, NJ - \$49,118.02 and DeSantis Construction of Somerset NJ - \$43,513.05. Based on Engineer Tanner's recommendation, motion was made by Hallman with a second by Banks for the award of the contract to DeSantis Construction in the amount of \$43,513.05 and adoption of the resolution. Motion carried on roll call vote - all ayes. Engineer Tanner will notify the affected residents in advance of the construction.

Other - In response to a prior concern expressed by Councilman Hallman, a cast iron grate has been installed over the hole in the rear of the Borough Hall grounds.

The floor was opened to the public for comments/questions. Hearing none, the floor was closed.

CHIEF FINANCIAL OFFICER'S REPORT

In response to a previous request from Mayor Zimmerman, CFO Bobal submitted letter dated 8/7/07, RE: Revenue Tracking along with a sample miscellaneous revenue report form. Also provided was a Statement of Budget Appropriations as of 8/20/07. It was recommended that all contracts/agreements entered into by Borough Council pertaining to financial matters should be forwarded by the Borough Clerk to the CFO and Deputy Clerk to ensure the proper tracking of anticipated revenue by the CFO. It was agreed that a monthly report will be provided to Mayor and Council detailing anticipated and unanticipated revenue. Mayor Zimmerman and CFO Bobal will review the miscellaneous revenue outline to ensure the accuracy of the fees to be collected.

DEPARTMENTAL REPORTS

Tax Collector's Report - July 2007

Court Administrator's Report - July 2007

Motion was made by Banks with a second by Harrington for the acceptance of the reports as submitted. Motion carried on roll call vote - all ayes.

APPROVAL OF VOUCHERS

Clarification will be made by Mayor Zimmerman with Deputy Clerk Whitlock as to the check issued (4777) to Risha and Young for the lawn care being done along Young Drive (entrance of Park) whereas there is a contract for the mowing with another vendor. Follow-up will be made by Councilman Harrington on the payment of cleaning services of Borough Hall by the tennis camp; follow-up will be made with Deputy Clerk Whitlock regarding payment of "chronic illness assessment" in the amount of \$14.00 in response to questioning by Councilman Hallman; Councilman Banks will follow up on the minimum usage charge by AT&T for the water department. Motion was made by Harrington with a second by Griner for the approval of the bill list (attached as appendix). Motion carried on roll call vote - all ayes.

COMMITTEE REPORTS

Administration & Records - No report at this time.

Buildings & Grounds - Councilman Harrington will follow-up with obtaining quotes for the carpet for the meeting room and the painting of the room and report back at the September meeting. Discussion ensued about the limited funding left in the Buildings and Grounds line item due to charges to the line item for leaf collection. It was agreed that the carpet and mulch projects should be carried through and confirmation of the charge of the leaf collection to this line item will be made with the CFO. In regard to the possible renovation of the men's room, Councilman Harrington advised that the renovation could cost between \$7,000-8,000. It was agreed to continue the use of the handicapped bathroom.

Finance & Insurance - Discussed during CFO report.

Public Safety & Emergency Services - Discussed during State Police report.

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Streets & Roads - No report at this time.

Water, Sewer & Environmental Protection - Utilities report as provided by Superintendent Larry Merk was summarized by Councilman Banks. Councilman Banks advised that the tree trimming has been done on Young Drive. He noted displeasure expressed by the area residents due to the lack of a visual barrier since the cutting. Discussion carried to the next meeting.

Council Representative to the Planning Board - Summary of action on memorialization of resolutions provided.

Council Representative to School Board - No report at this time.

Council Representative to Board of Health - No report at this time.

Zoning Official - Reported dated 8/20/07 for period July 15-August 15, 2007, from Zoning Official Raffaelli was received.

Grants Official - Councilman Hallman advised that he is researching a grant available through General Mills for possible use for the flag pole and light at Panicaro Park. He will be obtaining an estimate of cost from Engineer Tanner.

SPECIAL BUSINESS

Public Hearing: Ordinance #7, 2007 - "AN ORDINANCE PROVIDING FOR THE CONSTRUCTION OF PHASE 3 OF PARK IMPROVEMENTS IN AND BY THE BOROUGH OF ROCKY HILL, IN THE COUNTY OF SOMERSET, NEW JERSEY, APPROPRIATING \$75,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$70,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF" as filed in the Borough Clerk's office was read by title. Mayor Zimmerman advised that confirmation is being requested from Auditor Morrison as to whether the funds needed are necessary through the adoption of this ordinance. The hearing was opened to the public for comments/questions. It was agreed to continue the public hearing to the September 17, 2007, at 7:30 PM for possible action.

Introduction - Ordinance #8, 2007 - "AN ORDINANCE ESTABLISHING FLOOD DAMAGE PREVENTION" as filed in the Borough Clerk's office was read by title. Attorney Cruz advised that this is a standard ordinance as developed by the Department of Environmental Protection. Changes to the ordinance include a violation penalty of up to \$1250.00, authority of appeal designation as the Superior Court of NJ along with applicable statutes. The associated maps for the ordinance have been received and are on file in the Clerk's office. Motion was made by Griner with a second by Banks to introduce the ordinance. Public hearing scheduled for 9/17/07 at 7:30 PM in Borough Hall.

Introduction - Ordinance #9, 2007 - "AN ORDINANCE AMENDING ORDINANCE 2-82, "AMENDING THE SHADE AND ORNAMENTAL TREE ORDINANCE IN THE BOROUGH OF ROCKY HILL AND PROVIDING FOR ITS ENFORCEMENT" as filed in the Borough Clerk's office was read by title. Discussion ensued regarding the language contained in the ordinance. The following recommended changes were made: trimming shall be at a height of not less than 8 ft. for sidewalks and walkways and 10 ft. for streets; specification of all streets, "public or private" to be inserted; summons will be issued to property owner seven days after the initial notice, every seven days thereafter that the violation continues, and upon the third citation (31 days), the Borough will have the right to trim the trees/bushes and impose a lien against the property owner for reimbursement of the costs. It was agreed that the ordinance should be re-introduced with the aforementioned changes at the September meeting.

Resolution 2007-60 - Chapter 159 Resolution - Clean Communities Grant \$4,000.00 - Motion to adopt the resolution for the insertion of funds into the budget in the amount of

\$4,000.00 was made by Hallman with a second by Griner. Motion carried on roll call vote -all ayes.

Resolution 2007-61 - Authorizing Participation in the Somerset County Wastewater Management

Process/Appointment of Liaison - Motion was made by Harrington with a second by Griner for the execution of the joint agreement with the County and appointment of Engineer William Tanner as the Borough's liaison. Motion carried on roll call vote - all ayes.

Resolution 2007-62 - All Hazard Mitigation Plan - Mayor Zimmerman gave an overview of the resolution presented noting that the joint agreement between the Borough and the County in the preparation of a hazard mitigation plan will save the Borough a considerable amount of money and allow for the opportunity to obtain FEMA and Blue Acres funding. Motion was made by Harrington with a second by Griner for the adoption of the resolution. Motion carried on roll call vote - all ayes.

COMMUNICATIONS:

Communications as listed on the agenda were disseminated and/or ordered filed.

UNFINISHED BUSINESS:

Clean-up Schedule 2007 - Proposed Spring/Fall Clean Up Dates 2008 - Borough Clerk Griffiths advised that Raritan Valley has confirmed availability for clean up dates as follows: 2007 fall clean-up date for October 16, 2007 (third Tuesday); third Tuesday of May 2008 (5/20/08) for the spring clean-up; and third Tuesday of October 2008 (10/21/08) for fall clean-up. Motion was made by Hallman with a second by Griner to approve the dates. Motion carried on roll call vote - all ayes.

NEW BUSINESS:

NJLM Convention - The league convention will be held from 11/13-11/15/07. Council members were asked to provide confirmation of attendance to the Borough Clerk as soon as possible. It was agreed that newly-elected officials should be afforded the opportunity to attend the conference.

Borough E-mail - Councilman Griner noted the vast amount of spam received via the Borough's e-mail. Mayor Zimmerman will request that Councilman Witt contact Q-Scend in an attempt to resolve the matter.

Street Debris - Councilman Hallman noted instances of debris in front of residences blocking the roadways. Attorney Cruz will look into a draft ordinance that would address this issue as it relates to right of way situations.

PUBLIC COMMENT

Eileen Uhrik, resident, advised of recent vandalism (graffiti) at Van Horne Park. Mayor Zimmerman advised the Park Committee would address the matter at their meeting scheduled for tomorrow night.

Also noted were clogged manhole/drains in the area of 81 Princeton Ave. Mayor Zimmerman will advise Councilwoman White of the situation.

ADJOURNMENT:

Motion to adjourn the meeting at 9:25PM was made by Griner with a second by Hallman.

Motion carried on voice vote - all ayes.

Respectfully submitted:

Donna M. Griffiths, RMC
Borough Clerk